

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
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The Council meeting of the Borough of Wind Gap on Tuesday, April 21, 2009, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilmen: Jon Faust, Kerry Gassler, Dave Hess, George Hinton, Joe Weaver and Tony Curcio. Also in attendance were Mayor Mitchell D. Mogilski, Sr., Borough Engineer Brian Pysher and Borough Administrator Louise Firestone. Absent was Borough Solicitor, Ronold Karasek.

Scott Parsons explained that an Executive Session was scheduled by the Borough Solicitor, but unfortunately he was unable to attend, so no session was held and nothing was discussed.

**PUBLIC COMMENT**

1. Mike DePowers, 350 Delaware Avenue, Wind Gap. Mike explained that there is a truck traffic problem on Alpha Road. The trucks travel the road at all hours of the night starting around 2:30 a.m. He is concerned about the noise, the dirt, safety issues, and the speeding. The road is not in the best of conditions, so if they hit the pothole the noise is even louder. He believes that the parking lot that the trucks are using on West Street is a truck stop, they are there 24 hrs and the trucks are left idling to stay warm. He added that the trucks running during the night in the lot is a complaint from other neighbors, he has not personally heard them running. He asked if Alpha Road is a state road or a borough road. Scott replied that is a borough road and cars are allowed to park along either side of the road. He begged Council not to blow off this problem because if there are any more trucks because business increases, the quality of life will be ruined for the entire development. He invited Council to sit in his driveway and see how bad this has become for the road. He asked if stop signs could be put up, limit the hours that trucks can go on this street, or make the street one-way.

2. Robert Krasnopera, 375 Delaware Avenue, Wind Gap. Bob concurred with Mike's statement about the noise, dirt, the hours of operation and the speed. He has a young child and he is mainly concerned about the speed. Scott replied that Mr. Matlock has complained in the past. The Borough has researched this issue and when the Techo-Bloc trucks first went back to use the lot for parking, it is zoned to do what they are doing. Scott suggested revisiting this issue regarding the time. Mike asked if the Borough can divert some of the traffic onto a different road. Brian Pysher added that during previous conversations regarding this issue, the Borough cannot restrict commerce on a public road. Kerry Gassler suggested inviting Mike Goffredo to come to a meeting to discuss this truck problem.

3. Ron Angle, Northampton County Councilman. Ron introduced County Executive, Mr. Stoffa and Mr. Conklin to discuss the incident regarding the evacuation of the Borough. Mr. Conklin introduced himself to Council and those in attendance. Last month Mr. Conklin attended a COG meeting and reviewed the incident and it was decided that an update or critique of the events of the day should be brought before Wind Gap Borough Council. They had a hot wash a couple weeks after the COG meeting with DEP, Emergency Management, 911, EMS, and Plainfield Fire Chief which is a forum not open to the public, but an open discussion of what went right and what went wrong during the incident and how can it be improved on in the event of a future disaster. There was some issue with the state trooper who arrived on scene because hazmat protocol is to remain up hill, upwind of a chemical spill. They approached from below the turned over truck. The first arriving EMS on scene retrieved the victim from the truck and took off with him to the hospital. Wind Gap Borough personnel including: law enforcement, fire police, fire officers, EMS and the community as a whole pulled together almost perfectly. The chemical that was spilled is probably one of the worse chemicals that man makes. The tanker was carrying a gaseous form of hydrofluoric, which makes it even worse. It is highly toxic

and corrosive and in the gas state is could have potentially traveled and dropped anywhere, which precipitated the evacuation. He reviewed the timeline of events. At approximately 2:30 a.m. Saturday morning, the 911 Control Center received the call and dispatched Plainfield Fire to the scene. The truck driver insisted that there was no leak because he has driven these types of vehicles several times. The Lehigh Valley Hazmat team, which is a volunteer team, had to mobilize and was dispatched to the scene. Shortly after, a team from DEP came from Bethlehem and Wilkes-Barre to the scene. When the sun was beginning to rise the pressure inside the tanker began to change and liquid began to leak from the vent and began to vaporize. At that point, the decision was made to evacuate. The Hazmat team had their air monitoring equipment. Standard procedure was to evacuate a one mile radius. An Incident Commander in this particular event was Joe, the Assistant Fire Chief from Plainfield Township and he is the one to make the determination to evacuate for the sake of health and safety. They have a computer software system that was put into place last fall, a reverse 911 system and did a block by block messaging to get out. The success rate was very high. He followed up with a couple of specific complaints regarding no notification of the evacuation. The responsibility of the Wind Gap residents and following through was outstanding. The entire municipal cooperation from Pen Argyl, the High School, was incredible. Scott stated that Jon Faust, Wind Gap Fire Chief and Jeff Yob, Borough Emergency Management Coordinator have requested a meeting with John Conklin.

4. Larry Gaestiger, Pastor, Faith Alive Community Church, 125 West West Street, Wind Gap. Larry stated that he has met with the Borough's Zoning Officer several times over the last couple months to discuss the signs that the church has been putting up in the Borough. The events that are advertised are on the signs are free of charge and they take no offerings or donations. Over the last year and a half, they have sponsored a free spaghetti dinner for the community to promote family quality time and investing in the community. They have a healing ministry to pray with and for those individuals who may have terminal diseases. They sponsor free movie night once a month and the last movie night they had approximately 150 people attend. Currently, they are offering a free marriage seminar that runs for six weeks. He wanted to inform Council of some of the activities that Faith Alive sponsors because that is a way to make the public aware of what events are occurring at the church through posting signs in the Borough. The signs are professionally made, they are put up approximately a week prior to the event and taken down the day of the event is held. He asked Council for some direction or comments regarding the signs. Louise explained that this is a question regarding the sign section of the Zoning Ordinance and the interpretation of the ordinance. The sign section is specific regarding obtaining a permit, duration of time for the sign to be up, but because the church is non-profit and other organizations within the Borough are non-profits, she wanted Council's opinion about how they want to handle this issue. Larry added that the Zoning Officer has been very co-operative, but did not want to make it financially difficult on the church concerning advertising for their free community events. Council suggested having the Zoning Officer attend a meeting to explain her perspective regarding this issue. Larry asked if non-profit organizations could get a list of specific guidelines for their signs. He added that since this became an issue, Faith Alive has not put up any signs, but they would like to continue doing so and then get back to him regarding the decision. Scott stated that he will discuss this matter with the Zoning Officer and will get back to him as soon as possible.

## **APPROVAL OF MINUTES**

On motion by Jon Faust to approve the minutes of February 2, 2009 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

## **MAYOR'S REPORT**

Mayor Mogilski reported contractor fees collected for the month of March was zero for a year-to-date total of \$1,100, amusement fees year-to-date is zero and transient license fees year-to-date is zero. The next COG meeting is scheduled for Wednesday, April 22, 2009 at 7:00 p.m. at the Washington Township Elementary School. The police responded to 129 calls in the month of March for a year-to-date total of 415. On April 6, 2009, the Lichtenwalners, walked East West Street and cleaned up the trash and debris along the side of the road. He sent them a personal thank you on behalf of the Borough.

## COMMITTEE APPOINTMENTS

1. EMS – Kerry Gassler reported that they had 44 runs in January and 48 runs in February. The number of runs is down in comparison to 2008. Kerry reported that Council was generous enough to extend two years of free rent so that the ambulance corps could purchase another ambulance. The two years is up and Kerry asked Council to consider extending the free rent due to their high expenditures with heating oil.  
**On motion** by George Hinton to waive rent from the Wind Gap Ambulance Corps through December 2009 and seconded by Tony Curcio. Roll call vote taken. In favor: J. Faust, D. Hess, G. Hinton, S. Parsons, J. Weaver, T. Curcio. Abstained: K. Gassler. Motion carried with a vote of 6-0-1.  
On behalf of the Ambulance Corps, Kerry thanked Council for their continued support.
2. Police – George Hinton reported that the committee to discuss the police contract needs to meet to discuss the contract. Scott added that Borough Council received a letter from Officer Troy Dailey thanking the Wind Gap Fire Company and everybody else who had to do with the evacuation. The Police Department as a whole thanked everybody for their cooperation. Scott also acknowledged the good job done by the police.
3. Sewer Authority – Dave Hess reported that the Sewer Authority met on March 25, 2009. They had some problems with their digesters through February and part of March. Since the water temperature dropped to 7 degrees Celsius and it is not supposed to drop below 10 degrees Celsius in order for the bacteria to break down the solids, so they may have to cap them with a plastic cover or eventually in the future, build new digesters. Their next meeting is tomorrow, April 22, 2009. The Authority will be having an Open House on May 9, 2009 and all of Council should have received an invitation, please R.S.V.P. Scott stated that it is a very informative tour.
4. Fire Company – Jon Faust reported that the Fire Company responded to 17 calls in March for a total of 38 year-to-date. Those calls equate to 29.5 man hours for the month of March and a total of 44.5 man hours for the year.
5. Streets – George Hinton reported that the street sweeper is out. The street workers have been working down at the old Roberti property. Brian Pysher added that Kleppinger should be pouring the footer the end of this week or the beginning of next week. The next project is North Broadway across from the Candle Factory in the backyards fixing the sinkholes.
6. Zoning – Tony Curcio reported that a Zoning Hearing Board was held on April 1, 2009 meeting on case 1-2009, the applicants were Frank and Pearl Casio for a special exception for the take out deli. The request to approve the special exception was denied by the Zoning Hearing Board. The May meeting has been cancelled since no new applications have been submitted. Scott asked if Mrs. Ronalds has resigned. Louise replied that the office has not received any confirmation of her resignation. Scott explained that Mrs. Ronalds did not attend, but the two alternates did attend the meeting and there was some confusion regarding who is first alternate and who is second alternate.
7. Planning – Scott Parsons reported that no planning meeting will be held in May.

8. Parks – Joe Weaver reported that the spring preparations have been made. The tractors have been serviced, the restrooms are open, the metal roof sheeting has been done, the fence at the little league field has been installed. The Park Board stated that the COG website has some issues that need to be addressed. Their e-mail address does not work; the link to Wind Gap is actually a link to Wind Gap, Virginia. Joe will give the information to the Mayor to take back to the COG. Jeff Yob attended the last park board meeting to discuss the beer tent at the annual carnival. The motion passed to allow the beer tent. Volunteer Day at the park is scheduled for May 2, 2009 and all help will be appreciated. Scott stated that he was under the impression that the park board took care of the Easter Egg Hunt, but it is actually run by the recreation committee. The recreation committee runs the Easter Egg Hunt, the Halloween Parade and the Christmas Party. This year's turnout was extremely high due to the fact that the surrounding communities had their egg hunts at different times of the day. This should be coordinated with the other communities in the COG to avoid the staggered times. Jon Faust stated that the Fire Auxiliary already has discussed getting involved with these activities to help the recreation committee in the future. The Auxiliary did color the eggs this year. Scott publicly thanked the committee for their efforts.
9. 911 – Tony Curcio had nothing to report.
10. Buildings and Properties – Jon Faust reported that the building committee had a meeting with the engineer the other night. The engineer provided a letter of agreement to secure some type of commitment that if the Council moves forward with this that they use this firm for design and construction part of the building. The agreement would not be exclusive to this firm, but would allow Council to utilize the Borough Engineer. They will be doing a feasibility study of all the properties.

**On motion** by Kerry Gassler to approve the agreement with a check for \$3,000 to be taken out of the Buildings Tipping Fee line item and upon the approval of the Borough Solicitor and Borough Engineer and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.
11. Finance – Louise Firestone reported that the Liquid Fuels was distributed to the Borough in the amount of the Turnback - \$1,680 and the Liquid Fuels \$57,487 which totals \$245,177 in the Liquid Fuels account.

## **NEW BUSINESS**

1. Alpha Road Truck Traffic. Scott Parsons stated that he will attempt to have Mike Goffredo and a representative from Techo-bloc to attend the next Council meeting.
2. YMCA – Scott Parsons reported that at the May 4, 2009 Council meeting a representative from the Nazareth YMCA will present a power point slide show. It will be announced in the borough newsletter. This meeting will be held at the Wind Gap Firehouse. The project cost is approximately \$7 million dollars, which includes a 30,000 square foot building, an Olympic size swimming pool, gymnasium, weight rooms, and meeting rooms. There has been discussion regarding an auxiliary gym. The presentation was about 20 minutes and is very informative.

## OLD BUSINESS

1. Kerry Gassler stated there have been complaints regarding the odor of the burnt, vacant house on Lincoln Street. Louise to contact Ron Karasek to find out what rights the Borough has regarding this property. The Mayor suggested that the other issues in the Borough have been resolved based on health hazard issues.
2. Generators. George Hinton, Kerry Gassler and Jon Faust will continue to solicit generator bids because the ones received to date are different sizes and are not comparable. They will meet and make a recommendation to Council.
3. Jeff Yob, Wind Gap Fire Company. Jeff stated that he appeared before the Wind Gap Park Board requesting permission to serve alcohol at the annual carnival along with clams and the board granted their permission. He asked Council to waive the park ordinance that states no alcohol in the park for their carnival – June 2 through June 6, 2009. The Fire Company has not had any significant incidents in the past and the tent is a restricted area for beer.  
**On motion** by Kerry Gassler to allow alcohol for the Fire Company from June 2 through June 6, 2009 and seconded by Joe Weaver. Roll call vote taken. Motion carried unanimously.
4. Tony Curcio stated that the 30 m.p.h. speed limit signs have been installed along Route 512, but not all of them are there. Brian Pysker to work on the locations where the signs need to be. Scott asked if anyone had looked into borrowing the speed indicators signs from either Pen Argyl or Bushkill. The Chief will be asked to contact the neighboring municipalities for more information. Scott suggested that the Borough ask PennDOT that any state road within the borough be designated as 30 m.p.h.

**On motion** by Tony Curcio to adjourn the meeting of April 21, 2009. Council agreed unanimously. The meeting of April 21, 2009 adjourned at 8:44 p.m.

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Louise Firestone, Borough Administrator